

IPW

HT02-016

Application no. 10/706,381



January 13, 2006

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 2653 - Examiner Kayrish, Matthew

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603

SUBJECT: Serial #: 10/706,381
File Date: 11/12/2003
Inventor: Morris Dovek
Examiner: Kayrish, Matthew
Art Unit: 2653
Title: Write-Head having Recessed Magnetic Material in Gap Region

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Restriction Requirement in the Office Action dated Dec. 14, 2005. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 13, 2006.

Signature 
Stephen B. Ackerman, Reg. No. 37,761

Date: January 13, 2006

to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, and that currently no claims are generic.

The species stated are:

Species 1, which is drawn to Fig. 4, which reads on Claims 1-3 and 4-10, and
Species 2, which is drawn to Fig. 5, which reads on Claims 1-3 and 11-15, and
Species 1, which is drawn to Fig. 6, which reads on Claims 16-21, and
Species 1, which is drawn to Fig. 14, which reads on Claims 1-3 and 22-28.

Applicant provisionally elects to be examined the species described by the Examiner as Species 1, which reads on Claims 1-3 and 4-10. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the four species are separately examined. Furthermore, the field of search must necessarily cover all species, in addition to other related Classes and subclasses, to provide a complete and adequate search.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SBA', with a long horizontal flourish extending to the right.

Stephen B. Ackerman, Reg. No, 37,761
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